

REMARKS

Claims 1-35 are pending in this application.

Upon entry of this Amendment, claims 1, 16-20, and 25 will be amended. The claims have been amended to even more particularly point out and distinctly claim Applicants' invention. No new matter has been added by these amendments.

A Terminal Disclaimer is being filed along with this Amendment.

Reconsideration and allowance of the application respectfully are requested.

Claim Rejections

Rejection under 35 U.S.C. § 112

A. Response to Rejection of Claims 1, and 16-20 under 35 U.S.C. § 112, second paragraph.

In response to the rejection of claims 1, and 16-20 under 35 U.S.C. § 112, second paragraph as having insufficient antecedent basis, Applicants have amended the claims to recite "an allowed position." Reconsideration and withdrawal of the rejection respectfully is requested.

Provisional Rejection Under Judicially Created Doctrine Of Double Patenting

A. Response to Rejection of Claims 1-35 under Judicially Created Doctrine Of Double Patenting

In response to the provisional rejection of claims 1-35 under the Judicially Created Doctrine Of Double Patenting over claims of copending Application Nos. 09/914,411 and 09/914,305, Applicants respectfully submit that the Terminal Disclaimer filed with this Response obviates this rejection. Reconsideration and withdrawal of the rejection respectfully is requested.

Applicants submit that the claims now stand in condition for allowance and respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have questions or comments regarding this application or this amendment, Applicants' attorney would welcome the opportunity to discuss the case with the Examiner.

The Commissioner is hereby authorized to charge U.S. PTO Deposit Account 08-2336 in the amount of any fee required for consideration of this Amendment.

This is intended to be a complete response to the Office Action mailed October 23, 2003.

Respectfully submitted,

ILYA E. NIFANT'EV ET AL.

January 6, 2004
(Date)

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I hereby certify that this correspondence is being deposited with sufficient postage thereon with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on January 6, 2004.

John A. Sutton
January 6, 2004
Date of Signature